

**DELEGATION OF AUTHORITY
CLEAN AIR ACT (CAA)**

Provisions for the Prevention and Mitigation of Accidental Releases
of Hazardous Chemicals under Clean Air Act Section 112(r)

1. **AUTHORITY.** The authority to carry out the provisions of Clean Air Act Section 112(r) to be implemented by the Administrator, except as limited below. Those provisions concern the prevention and mitigation of accidental releases of substances listed pursuant to paragraph (3) of the Section or any other extremely hazardous substance. The authority being delegated includes, but is not limited to, the authority to provide program direction, guidance and support, issue general notices, as well as the following specific authorities:
 - a. [this authority not redelegated]
 - b. Respond to the recommendations of the Chemical Safety and Hazard Investigation Board ("the Board") pursuant to Section 112(r)(6)(H) and (I).
 - c. Implement the regulations issued under Section 112(r)(7), including:
 - i. [this authority not redelegated]
 - ii. [this authority not redelegated]
 - iii. Auditing Risk Management Plans and requiring revisions.
 - d. [this authority not redelegated]
2. **TO WHOM REDELEGATED.** To the Director, Enforcement and Compliance Assurance Division, or equivalent.
3. **LIMITATIONS.**
 - a. Actions requiring rulemaking remain under the Administrator's authority.
 - b. The authority in 1.b. will be exercised in accordance with procedures developed by the AA of OLEM, in consultation with other program offices and the EPA regions.
 - c. For authority 1.c.3, the AA of OLEM may exercise this authority when an action is nationally significant or has broad issue-specific or programmatic implications. The regional administrator or division director may exercise this authority when an action principally involves or affects a specific facility, or state or local entity.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the branch chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **SUPERSESSON.** This delegation supersedes R10 7-148 (03/29/2001) and any other delegation of the same authority.

6. ADDITIONAL REFERENCES.

- a. 40 CFR Part 68 Chemical Accident Prevention Provisions, Subparts F, G, and H.
- b. 1993 Presidential Review by EPA and National Response Team.
- c. Public Law 106-40, Section 3.
- d. EPA Delegation 7-148.

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Date



Chris Hladick
Regional Administrator